

MINUTES OF THE WILLIAMSON COUNTY HIGHWAY COMMISSION MEETING

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The Williamson County Highway Commission met on Wednesday, May 2, 2007 at 8:30 a.m. in the Auditorium of the Williamson County Administrative Complex. Commission members present were: County Mayor and Highway Commission Chair Rogers Anderson; Commissioners Charlie Bennett, Dick Fowlkes, Renis Baker, and Stan Tyson.

Also, present were: Highway Superintendent Eddie Hood; Houston Naron, Jr., County Commission Chair; David Coleman, Budget Director; Joe Horne, Community Development Director; Mike Matteson and Ann Haines, Planning Department; Floyd Heflin and William Andrews, Engineering Department; Randy Hickman, Greg Boll, and Ray Campbell, Highway Department; Purchasing Agent Leslie Mitchell; County Attorney Bobby Cook, Buerger, Moseley and Carson; Chad Collier, Collier Engineering; and other interested and concerned individuals.

Chair Anderson called the meeting to order at approximately 8:30 a.m. and asked for approval of the April 4, 2007 Highway Commission minutes. Commissioner Baker moved to approve the minutes, seconded by Commissioner Bennett. The motion passed unanimously, 5-0.

Special Announcements: There were none.

Citizens Communications: Mr. Bob Twigger, 4109 Oxford Glen, spoke on behalf of the President of the Barrington Estates Homeowner's Association to ask about the new Hersborne Park development and how it will affect their subdivision. He asked about additional stop signs in his subdivision.

Elections and Appointments: There were none.

OLD BUSINESS:

Highway Department New Facility Update. Mr. Boll stated that they were waiting for the architects to get back with the preliminary plans and a construction schedule.

Current status of roadway design on Murray Lane into Old Towne by Ryan Workman/Alley & Associates. Supt. Hood stated that Mr. Collier has not reviewed the plans as presented and he would like to move this item to next month's agenda.

Mr. Collier stated that he would contact Mr. Workman.

Temple Road Preliminary Design Plan. Commissioner Tyson stated the entire set of plans (Attachment A) for Temple Road improvements had been sent to the Commissioners in their packets this month. Commissioner Tyson moved that the Preliminary Design Plan for Temple Road be accepted and that these plans were subject to minor changes due to upcoming negotiations with certain residents. Commissioner Fowlkes seconded the motion.

Supt. Hood stated that these preliminary plans were fine, but subject to change.

The motion to accept the Temple Road Preliminary Design Plan passed unanimously, 5-0.

Commissioner Tyson stated that five individual schematic plans were included in a report entitled "Condemnations" (Attachment B) and which showed a description of each site including the width of the right-of-way, width of the shoulder and the width of the road. Each will be approved individually. Commissioner Tyson stated that the board has reviewed and discussed the preliminary plans and find that the proposed right-of-ways are required for the construction of Temple Road. Further, the board understands that the road construction plans may be revised as long as the revisions do not require any additional right-of-way approval.

Commissioner Tyson moved to approve the plan for the property owned by Thomas F. Morales and wife, Katherine H. Morales at 6394 Temple Road, Franklin, TN (Tax Map 025, Parcel 004.00 & 004.01, Book 864, Page 856), seconded by Commissioner Fowlkes.

Supt. Hood stated he was in agreement with the plan.

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The motion passed unanimously, 5-0.

Commissioner Tyson moved to approve the plan for the property owned by Chris Morris and wife, Terasa Morris at 6393 Temple Road, Franklin, TN (Tax Map 025, Parcel 003.00, Book 3029, Page 667), seconded by Commissioner Bennett.

Supt. Hood stated he was in agreement with the plan.

The motion passed unanimously, 5-0.

Commissioner Tyson moved to approve the plan for the property owned by Pamela Rose at 6418 Temple Road, Franklin, TN (Tax Map 026, Parcel 003.00, Book 1964, Page 593), seconded by Commissioner Fowlkes.

Supt. Hood stated he was in agreement with the plan.

The motion passed unanimously, 5-0.

Commissioner Tyson moved to approve the plan for the property owned by Richard W. Jett at 6458 Temple Road, Franklin, TN (Tax Map 026, Parcel 009.00, Book 987, Page 440), seconded by Commissioner Bennett.

Supt. Hood stated he was in agreement with the plan.

The motion passed unanimously 5-0.

Commissioner Tyson moved to approve the plan for the property owned by Covington Partners, L.P. at 2163 Old Natchez Trace, Franklin, TN (Tax map 026, Parcel 015.00, Book 1939, Page 543), seconded by Commissioner Fowlkes.

Supt. Hood stated that he recommended approval.

The motion passed unanimously, 5-0.

Commissioner Tyson stated that letters will go out from the attorney's office shortly.

Mr. Cook stated that the letters will go out shortly with a reply to the proposed revisions expected back in a month. It may have to wait until the July Highway Commission meeting to be reported, Mr. Cook stated.

Commissioner Tyson moved to provide authorization to the County Attorney's Office to send letters and individual plans to these five (5) property owners and report the revisions/negotiations back to the Commission. Commissioner Fowlkes seconded the motion.

Supt. Hood stated that this action was needed in order to move forward on the Temple Road improvements.

The motion passed unanimously, 5-0.

NEW BUSINESS:

Resolution 5-07-11. **RESOLUTION PLACING \$6,430 IN THE SUBDIVISION ESCROW ACCOUNT (LGIP #38) FOR FUNDS IN-LIEU-OF DETENTION AT SADDLE SPRINGS, PHASE 2A, SECTION 6.** Commissioner Bennett moved for approval, seconded by Commission Tyson.

Mr. Heflin stated that staff recommended approval.

The motion passed unanimously, 5-0.

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Resolution 5-07-12. **RESOLUTION PLACING \$14,465 IN THE SUBDIVISION ESCROW ACCOUNT (LGIP #38) FOR FUNDS IN-LIEU-OF DETENTION AT SADDLE SPRINGS, PHASE 2A, SECTION 7.** Commissioner Bennett moved for approval, seconded by Commissioner Baker.

Mr. Heflin stated that staff recommended approval.

The motion passed unanimously, 5-0.

Resolution 5-07-26. **RESOLUTION TRANSFERRING \$57,000 BETWEEN MAJOR CATEGORIES WITHIN THE 2006-07 HIGHWAY DEPARTMENT BUDGET.** Commissioner Tyson moved for approval, seconded by Commissioner Bennett.

Mr. Boll explained that these funds would cover the additional engineering and legal expenses for the Temple Road improvements as well as for the engineering at the Natchez Trace construction site.

Supt. Hood stated that he recommended approval of the resolution.

The motion passed unanimously, 5-0.

Ethics Legislation. Mr. Cook explained the changes in the legislation which require a detailed explanation if Highway Commissioners have a conflict when voting on a matter followed by an abstention. Further, Mr. Cook explained that Supt. Hood, as a county officer/employee, will have to fill out forms explaining his conflicts were they to arise.

Chair Anderson stated that it is the responsibility of each individual to notify the public when a conflict exists and this will affect every board.

Commissioner Tyson moved to accept the ethics legislation as approved by the County Commission, seconded by Commissioner Baker. The motion passed unanimously, 5-0.

Request to post "No Parking" signs on Stonebridge Park Drive in Stonebridge Park by HOA-Tom Buida. Chair Anderson stated that no action was needed on this request.

Supt. Hood stated that he had previously spoken to Mr. Buida and suggested that he send out a flyer to the various homeowners to not park on the street. Mr. Buida requested to be placed on the Highway Agenda and is not present at this meeting, he continued. No signs have been posted as yet, Supt. Hood concluded.

District Reports: Commissioner Tyson reminded the Commission that the temporary construction easements on Temple Road expire in October 2008. There were no other district reports.

Superintendent Report: Supt. Hood referenced the April 2007 Activity Report and the current paving and bush hogging schedule. He asked about Mr. Twigger's e-mail (Attachment C). Chair Anderson asked Mr. Twigger to come back to the podium. Mr. Twigger stated he would like the stop sign request in Barrington looked in to again.

Mr. Collier stated that a traffic study was done in 2005 and, based on the study they recommended what was done at the time. Further Mr. Collier stated that stop signs were not to be used for speed control.

Mr. Twigger stated that two rollover accidents have occurred in the general area and that there had been an increase in traffic volume since 2005.

Mr. Collier stated that he did not remember a sight distance issue at this location, but he would review the old report again.

Chair Anderson stated that if Mr. Twigger would get with Mr. Collier, this issue could be considered at next meeting's agenda.

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Commissioner Tyson stated that the Speed Bump Committee (traffic calming), of which Jack Walton was chair, had not reached any final conclusions. A policy is needed for traffic calming devices since they have been requested several times recently.

Mr. Collier stated that one of his engineers has handled this with Davidson County and he would be glad to share this information with Commissioner Walton.

Chairman's Report: The chair read a thank you letter (Attachment D) from the McBroom and Lincoln families regarding Dice Lampley Road into the record.

Chair Anderson also read a petition from the residents of Guy Ferrell Road stating that they do not grant easements and do not wish to have their road widened (Attachment E) into the record.

Legal Issues: At this time the Highway Commission recessed to go into closed session to discuss pending litigation.

Upon reconvening, Chair Anderson stated that regarding the Dickson case, an offer of settlement has been made and he would entertain a motion to consider the offer.

Commissioner Baker moved to accept the settlement offer by the Plaintiffs on the Dickson case, seconded by Commissioner Tyson.

After further discussion and realizing that the motion did not reflect the intent of the board, Commissioner Tyson removed his second and Commissioner Baker removed his motion.

After continued discussions, Commissioner Tyson moved to decline the Plaintiff's offer in the Dickson case. Motion was seconded by Commissioner Fowlkes. The motion failed 2-3 with Chair Anderson, Commissioner Fowlkes and Commissioner Bennett voting no.

Mr. Cook stated that they would proceed accordingly.

Discussion continued on the effect of the motion and whether it reflected the intent of the commissioners. A brief recess was taken. Upon reconvening, Commissioner Fowlkes moved to reconsider the previous motion. The motion was seconded by Chair Anderson. The vote to reconsider was approved 4-1, with Commissioner Bennett voting no.

Commissioner Fowlkes stated he believed that they should proceed with the case but was concerned with the cost of litigation.

After discussing the issue and intent of the commissioners, a motion was made to decline the Plaintiffs' offer, but to grant the County Attorneys' Office the authority to conduct further negotiations with the Plaintiffs. The motion passed 3-2 with Chair Anderson and Commissioner Bennett voting no.

Referring to the Temple Road project, Commissioner Tyson reiterated that the letters will go out to the residents whose easements have not been received with a definite day response time. The item should be back before the Commissioners in July.

The meeting adjourned at approximately 10:02 a.m., upon duly made motion and second, as there was no further business.

/cb

Rogers C. Anderson
Chairman and County Mayor